

IN THE DISTRICT COURT OF GUAM
TERRITORY OF GUAM
CRIMINAL MINUTES

FILED
DISTRICT COURT OF GUAM

JAN 13 2006

MARY L.M. MORAN
CLERK OF COURT

CASE NO. CR-05-00053

DATE: 01/13/2006

HON. JOAQUIN V. E. MANIBUSAN, JR., Magistrate Judge, Presiding

Court Recorder: Wanda M. Miles

Hearing Electronically Recorded: 9:41:58 - 9:46:14

Law Clerk: Judith Hattori

Courtroom Deputy: Virginia T. Kilgore

CSO: F. Tenorio

***** A P P E A R A N C E S *****

DEFT: BRIAN WILLIAM ELM

(X) PRESENT (X) CUSTODY () BOND () P.R.

ATTY: CURTIS VAN DE VELD

(X) PRESENT () RETAINED () FPD (X) CJA APPOINTED

U.S. ATTORNEY: RUSSELL STODDARD

AGENT: U.S. POSTAL INSPECTOR CRAIG HALES

U.S. PROBATION: CARLEEN BORJA

U.S. MARSHAL: V. ROMAN / G. PEREZ

INTERPRETER: _____ () SWORN LANGUAGE: _____

PROCEEDINGS: INITIAL APPEARANCE AND ARRAIGNMENT
RE SECOND SUPERSEDING INDICTMENT

- () FINANCIAL AFFIDAVIT REVIEWED AND ACCEPTED: _____, ATTORNEY APPOINTED
() DEFENDANT SWORN AND EXAMINED: AGE: _____ HIGH SCHOOL COMPLETED: _____
() DEFENDANT ARRAIGNED AND ADVISED OF HIS RIGHTS, CHARGES AND PENALTIES
() GOV'T SUMMARIZES THE EVIDENCE () GOV'T SUBMITS TO THE PLEA AGREEMENT
() COURT QUESTIONS DEFENDANT REGARDING HIS PHYSICAL AND MENTAL CONDITION, AND ADVISES DEFENDANT OF THE NATURE AND POSSIBLE CONSEQUENCES OF SAID PLEA
() DEFENDANT WAIVES READING OF () COMPLAINT () INFORMATION () INDICTMENT
() PLEA ENTERED: () GUILTY () NOT GUILTY - TO: _____
() COUNT(S) _____ DISMISSED ON GOVERNMENT'S MOTION
() PLEA AGREEMENT FILED: _____ PLEA: () ACCEPTED () REJECTED
() COURT ORDERS PLEA AGREEMENT SEALED
() COURT REJECTS PLEA AGREEMENT AND REFERS IT TO: _____ FOR RECOMMENDATION.
() SENTENCING DATE: _____ at _____ () STATUS HEARING: _____ at _____
() PRESENTENCE REPORT ORDERED AND DUE: _____
() PRELIMINARY EXAMINATION SET FOR: _____
() ARRAIGNMENT SET FOR: _____ at _____
() TRIAL SET FOR: _____

PROCEEDINGS CONTINUED TO: JANUARY 18, 2006 at 9:30 A.M.

- () DEFENDANT TO BE RELEASED ON BOND (see release conditions on page 2)
() DEFENDANT REMANDED TO THE CUSTODY OF THE U.S. MARSHAL SERVICE FOR () PROCESSING () DETENTION
() DETENTION HEARING REQUESTED BY GOV'T DEFT IS SET FOR: _____ at _____
(X) DEFENDANT CURRENTLY DETAINED UNDER FEDERAL CUSTODY

NOTES:

Mr. Van de Veld requested a one week continuance so that he may have an opportunity to consult with his client. The Government recommended a brief recess. Mr. Van de Veld renewed his request. The Court continued the hearing to January 18, 2006 at 9:30 a.m. before Judge Donald W. Molloy.